



PATENT  
Atty. Docket No. ADI-074  
(257/40)

12/19  
Kee  
for  
E. Fayth  
4/17/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Berger et al. CONFIRMATION NO.: 5641  
SERIAL NUMBER: 09/915,216 ART UNIT: 3728  
FILING DATE: July 25, 2001 EXAMINER: A. Stashick  
TITLE: Climate Configurable Sole and Shoe

Commissioner for Patents  
Washington, DC 20231

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APR 16 2003  
TECHNOLOGY CENTER R3700

AMENDMENT AND RESPONSE

This paper is submitted in response to the pending Office action, Paper No. 8, mailed from the U.S. Patent and Trademark Office on October 3, 2002.

Applicants respectfully request entry of the following amendments, reconsideration and withdrawal of all grounds of rejection, and passage of the claims to allowance.

Please amend the application, without prejudice, and consider the following remarks.

In the Claims:

Please amend claims 1 and 22 to read as follows. In accordance with 37 C.F.R. § 1.121(c)(1)(ii), a marked up version of the claim amendments is attached at the end of this Amendment and Response.

1. ~~(Amended) A sole for an article of footwear, the sole comprising:~~  
an insole layer defining a plurality of first openings, wherein a substantial portion  
of the plurality of first openings are interconnected;